

C1 an oxidation catalyst, a particle separator; and an NO<sub>x</sub> adsorption catalyst, the NO<sub>x</sub> adsorption catalyst located upstream or at the same location as the oxidation catalyst, with respect to the flow of exhaust gases, whereby the system reduces the amounts of hydrocarbons, carbon monoxide, nitrogen oxides and particles present in the exhaust gas.

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*Please cancel claim 2 without prejudice or disclaimer.*

#### REMARKS

Entry of the foregoing, reconsideration of the Restriction Requirement, and full examination on the merits is respectfully requested.

As correctly noted in the Office Action Summary, claims 1-26 were pending. By the present response, claim 1 has been amended and claim 2 has been canceled. Thus, upon entry of the present response, claims 1 and 3-26 remain pending and await further consideration on the merits.

Claim 1 has been amended in order to improve the form thereof for purposes of examination. Support for the foregoing amendment can be found at least at the following locations in the original disclosure: page 4, lines 30-31 and original claims 3, 4 and 8.

In the Restriction Requirement dated November 25, 2002, it was alleged that the claims are directed to two distinct groupings:

- I. (Claims 1-13 and 20-21, drawn to a system for purifying exhaust gases); and
- II. (Claims 14-19 and 22-26, drawn to a method of purifying exhaust gas).

It was further alleged in paragraph 2 of the Restriction Requirement that inventions II and I were related as a process and apparatus for its practice. The basis for the Restriction Requirement is respectfully traversed for at least the reasons set forth below.

It is respectfully submitted that the subject matter of Groups I and II is sufficiently related that a thorough search for the subject matter of any one group would overlap with a search for the subject matter of the remaining group. Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. MPEP §803 clearly states that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and duplicative examination by the Patent Office.

The Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all the claims in this application.

Respectfully submitted,

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Date: December 20, 2002